



GARY R. HERBERT  
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Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

February 17, 2016

Julie B. Clark  
1758 South 900 East  
Salt Lake City, Utah 84105

Subject: Operator Update and W9 Forms, Julie B. Clark, Clark 1/Emeryide Mine, S/015/0053, Number One Clark/Emeride Mine, S/015/0074, Emery County, Utah

Dear Ms. Clark:

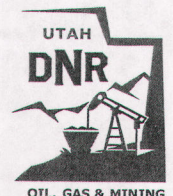
I am sorry to hear that your husband recently passed away. Because of your husband's passing there are some issues relating to the Notices of Intention to Commence Small Mining Operations (Notices) and reclamation sureties that need to be addressed.

#### **Number 1 Clark Mine, Permit Number S/015/0074:**

The Division of Oil, Gas and Mining received a check to increase the reclamation surety and have also received a W9 form. The W9 form lists the account owner as Emery Minerals LLC, and the only manager or member of Emery Minerals LLC is Robert L Clark. The Notice lists the operator—which needs to be in the same name as the W9 form and the bank account—as Robert L. and Julie B. Clark. The problem, therefore, is that the W9 form and the Notice conflict.

The Division also holds a certificate of deposit (CD) as reclamation surety, and it is in the name of Robert L. Clark and needs to be transferred to be in the name of the operator.

There are various solutions to these problems, but, basically, **the CD, cash account (including the W9 form), and the Notice all need to be in the same name.** If the operator is to be Emery Minerals LLC, a living person, such as you, should be listed as a manager or member with the Division of Corporation. Another option would be for you as an individual to be the operator in which case the names on the Notice and CD would need to be changed and the Division would need to receive a W9 form showing you as an individual.





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Julie B. Clark  
S/015/0053 and S/015/0074  
February 17, 2016

For your convenience, a copy of the current Notice is enclosed. The Division is using a newer form, so please transfer the information from the current Notice to the new form. You can also download the forms at [http://linux3.ogm.utah.gov/WebStuff/wwwroot/minerals/permit\\_forms.html](http://linux3.ogm.utah.gov/WebStuff/wwwroot/minerals/permit_forms.html)

I understand these issues are complicated. We are glad to help you understand and resolve them. Contact information is at the end of this letter.

**Clark 1/Emeryide Mine:**

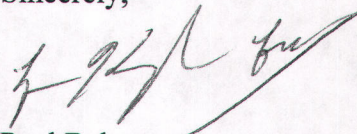
The permit for the Clark 1/Emeryide mine is solely in the name of Robert L. Clark. The reclamation surety is a CD that is solely in the name of Robert L. Clark.

The Notice is on a form that is out of date and needs to be revised. Enclosed are the existing Notice and a Notice form for a small mine.

Please update the Notices and surety documents by April 1, 2016. It may be necessary for the Division to require a suspension of operations if it is not complete by that date.

Please contact Wayne Western at 801-538-5263 if you need assistance with the Notice form or the minerals program bonding coordinator, Penny Berry, for assistance with the surety forms. You may also contact me at 801-538-5261. Thank you in advance for your cooperation.

Sincerely,



Paul Baker  
Minerals Program Manager

PBB:whw:pb

cc: John Blake SITLA ([jblake@utah.gov](mailto:jblake@utah.gov))  
Chris Conrad, Price BLM ([cconrad@blm.gov](mailto:cconrad@blm.gov))

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